

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF MAINE**

<b>CLIFTON FRANCIS,</b>	)	
	)	
<b>MOVANT</b>	)	
<b>v.</b>	)	<b>CRIMINAL No. 2:08-CR-182-DBH</b>
	)	<b>CIVIL No. 2:12-CV-64-DBH</b>
<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>RESPONDENT)</b>		

**ORDER AFFIRMING RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

On October 11, 2012, the United States Magistrate Judge filed with the court, with copies to the parties, her Recommended Decision on 28 U.S.C. § 2255 Motion. The movant filed his objection to the Recommended Decision on November 5, 2012. I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in the Recommended Decision, and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. No evidentiary hearing is warranted under Rule 8 of the Rules Governing Section 2255 Cases. The motion for habeas relief under 28 U.S.C. § 2255 is **DENIED**.

Finally, I find that no certificate of appealability pursuant to Rule 11 of the Rules Governing Section 2255 Cases shall issue in the event the movant

files a notice of appeal because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c)(2).

**SO ORDERED.**

**DATED THIS 27<sup>TH</sup> DAY OF NOVEMBER, 2012**

/s/D. BROCK HORNBY

**D. BROCK HORNBY**

**UNITED STATES DISTRICT JUDGE**